

BEFORE THE BOARD OF MEDICAL EXAMINERS

IN THE STATE OF ARIZONA

In the Matter of

BOMEX CASE NO: MD-00-0263

WILLIAM L. ROBERTS, M.D.

**CONSENT AGREEMENT FOR
ORDER OF CONDITIONAL
REINSTATEMENT OF MEDICAL
LICENSE AND PROBATION**

Holder of License No. 11971
For the Practice of Medicine
In the State of Arizona.

IT IS HEREBY AGREED by and between WILLIAM L. ROBERTS, M.D., holder of License No. 11971, and the Arizona Board of Medical Examiners (Board), that the accompanying Findings of Fact, Conclusions of Law and Order be entered in the above-entitled matter and be effective as of the date issued.

Dr. Roberts acknowledges that any violation of this Consent Agreement constitutes unprofessional conduct within A.R.S. § 32-1401(25)(r), and will result in his license being automatically summarily suspended pursuant to A.R.S. § 32-1451(S). Alternatively, Dr. Roberts may surrender his Board license if he admits to misconduct and so stipulates, pursuant to A.R.S. § 32-1433.

In the event of Dr. Roberts's Board license being revoked or surrendered he agrees that he will not reapply for a license for five (5) years from the date of revocation or surrender. Furthermore, by signing this Consent Agreement, Dr. Roberts waives and relinquishes any right to appeal from or challenge this Order by initiating any type of administrative or judicial review of this Order.


WILLIAM L. ROBERTS, M.D.

Dated: 1-2-01

FINDINGS OF FACT

1 1. The Board is the duly constituted authority for the regulation and control of
2 the practice of allopathic medicine in the state of Arizona.

3 2. William L. Roberts, M.D. is the holder of License No. 11971 for the practice
4 of allopathic medicine in the state of Arizona.

5 3. Pursuant to the request of Dr. Roberts and Order of the Board (dated June
6 27, 2000), Dr. Roberts's Board license to practice medicine was placed on inactive status
7 for cause because of chemical dependency relapse. The aforementioned order was
8 issued because Dr. Roberts had previously been subjected to the Board's Stipulated
9 Rehabilitation Agreement (dated April 4, 1986); but, was no longer in effect A.R.S. § 32-
10 1452 (F).

11 4. Dr. Roberts has requested reactivation of his Board license to practice
12 medicine.

13 5. This matter was presented to the Board for its final review and approved as
14 part of its public meeting agenda on February 14-16, 2001.

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16 **CONCLUSIONS OF LAW**

17 1. The Board possesses jurisdiction over the subject matter hereof and over
18 William L. Roberts, M.D.

19 2. Pursuant to A.R.S. § 32-1403(A)(5), § 32-1431(D), § 32-1451(F) and § 32-
20 1452(A), the Board may enter the following order.

21 **ORDER**

22 1. It is hereby ordered that the inactive medical license held by William L.
23 Roberts, M.D., shall be reinstated to active status subject to the following conditions:
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1 A. Dr. Roberts pay all licensing fees and successfully complete 20 hours
2 of approved medical education as described in Board administrative rule, R4-16-101(B);
3 and

4 2. Upon satisfying the aforementioned requirements in paragraph (1), Dr.
5 Roberts's license to practice medicine in Arizona shall be reactivated and his Board
6 license shall be placed on probationary status for five (5) years with the following terms
7 and conditions:

8 A. In the event that Dr. Roberts violates any term of his probation, his
9 license will automatically be summarily suspended. Alternatively, Dr. Roberts may
10 surrender his Board license if he admits to misconduct and so stipulates pursuant to
11 A.R.S. § 32-1451(R). If his Board license is revoked or he surrenders his license he shall
12 be prohibited from reapplying for a license for five (5) years.

13 B. Dr. Roberts shall submit quarterly declarations under penalty of
14 perjury on forms provided by the Board, stating whether there has been compliance with
15 all the conditions of probation. The declarations shall be submitted on or before the 15th
16 of March, June, September and December of each year.

17 C. In the event that Dr. Roberts resumes the practice of medicine, he
18 shall submit to the administration of Naltrexone, 50 mg. per day, or as prescribed by his
19 primary care physician.

20 D. Dr. Roberts shall not handle, store, or administer controlled
21 substances.

22 E. Dr. Roberts may request that the Monitored Aftercare Program Diversion
23 Committee review and modify the terms of the this Consent Agreement.
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1 F. Dr. Roberts shall promptly participate in the Monitored Aftercare
2 Program ("MAP") for the treatment and rehabilitation of physicians who are impaired by
3 alcohol or drug abuse. The terms and conditions of MAP are as follows:

4 **I. DEFINITIONS**

5 "**Medication**" means "prescription-only drug, controlled substance, and over-the
6 counter preparation, other than plain aspirin and plain acetaminophen."

7 "**Emergency**" means "a serious accident or sudden illness that, if not treated
8 immediately, may result in a long-term medical problem or loss of life."
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10 **II. TERMS**

11 1. **Participation.** Dr. Roberts shall promptly enroll in and participate in the
12 Board's confidential substance abuse treatment and rehabilitation program (the "program")
13 in accordance with this Consent Agreement. Dr. Roberts shall remain in the program for a
14 period of five years from the Consent Agreement's effective date.

15 2. **Group Therapy.** Dr. Roberts shall attend the program's group therapy
16 sessions one time per week for the duration of this Consent Agreement, unless excused
17 by the group therapist for good cause such as illness or vacation. Dr. Roberts shall
18 instruct the program group therapist to release to the Board, upon its request, all records
19 relating to his treatment, and to submit monthly reports to the Board regarding attendance
20 and progress. The reports shall be submitted on or before the 10th day of each month.

21 3. **12 Step or Self-Help Group Meetings.** Dr. Roberts shall attend ninety (90)
22 12-step meetings or other self-help group meetings appropriate for substance abuse and
23 approved by the Board, for a period of ninety (90) days beginning not later than either (a)
24 the first day following his discharge from chemical dependency treatment or (b) the date of
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1 this Consent Agreement.

2 **4.** Following completion of the ninety (90) meetings in ninety (90) days, Dr.
3 Roberts shall participate in a 12-step recovery program or other self-help program
4 appropriate for substance abuse as recommended by the group therapist and approved by
5 the Board. Dr. Roberts shall attend a minimum of three (3) 12-step or other self-help
6 program meetings per week.

7 **5. Board-Approved Primary Care Physician.** Dr. Roberts shall promptly
8 obtain a primary care physician and shall submit the name of the physician to Board staff
9 in writing for approval.

10 **6.** The Board-approved primary care physician shall be in charge of providing
11 and coordinating Dr. Roberts's medical care and treatment. Except in an *Emergency*, Dr.
12 Roberts shall obtain his medical care and treatment only from the Board-approved primary
13 care physician and from health care providers to whom the Board-approved primary care
14 physician refers Dr. Roberts from time to time. Dr. Roberts shall request that the Board-
15 approved primary care physician document all referrals in the medical record.
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17 **7.** Dr. Roberts shall promptly inform the Board-approved primary care physician
18 of his rehabilitation efforts and provide a copy of this Consent Agreement to that physician.
19 Dr. Roberts shall also inform all other health care providers who provide medical care or
20 treatment that he is participating in the Board's rehabilitation program.

21 **8. Medication.** Except in an *Emergency*, Dr. Roberts shall take no *Medication*
22 unless the *Medication* is prescribed by his Board-approved primary care physician or other
23 health care provider to whom the Board-approved primary care physician makes referral.
24 Dr. Roberts shall not self-prescribe any *Medication*.
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1 9. If a controlled substance is prescribed, dispensed, or is administered to Dr.
2 Roberts by any person other than the Board-approved primary care physician, he shall
3 notify the Board-approved primary care physician in writing within 48 hours. The
4 notification shall contain all information required for the medication log entry specified in
5 paragraph 10. Dr. Roberts shall request that the notification be made a part of the medical
6 record. This paragraph does not authorize Dr. Roberts to take any *Medication* other than
7 in accordance with paragraph 8.

8 **10. Medication Log.** Dr. Roberts shall maintain a current legible log of all
9 *Medication* taken by or administered to him, and shall make the log available to the Board
10 and its staff upon request. For *Medication* (other than controlled substances) taken on an
11 on-going basis, Dr. Roberts may comply with this paragraph by logging the first and last
12 administration of the *Medication* and all changes in dosage or frequency. The log, at a
13 minimum, shall include the following:
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- 15 a. Name and dosage of *Medication* taken or administered;
- 16 b. Date taken or administered;
- 17 c. Name of prescribing or administering physician;
- 18 d. Reason *Medication* was prescribed or administered.

19 This paragraph does not authorize Dr. Roberts to take any *Medication* other than in
20 accordance with paragraph 8.

21 **11. No Alcohol or Poppy Seeds.** Dr. Roberts shall not consume alcohol or any
22 food or other substance containing poppy seeds.

23 **12. Biological Fluid Collection.** During all times that Dr. Roberts is physically
24 present in the state of Arizona and such other times as board staff may direct, Dr. Roberts
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1 shall promptly comply with requests from Board staff, the group therapist, or the program
2 director to submit to witnessed biological fluid collection. If Dr. Roberts is directed to
3 contact an automated telephone message system to determine when to provide a
4 specimen, he shall do so within the hours specified by Board staff. For the purposes of
5 this paragraph, in the case of an in-person request, "promptly comply" means
6 "immediately". In the case of a telephonic request, "promptly comply" means that, except
7 for good cause shown, Dr. Roberts shall appear and submit to specimen collection not
8 later than two hours after telephonic notice to appear is given. The Board in its sole
9 discretion shall determine good cause.

10 **13.** Dr. Roberts shall provide Board staff in writing with one telephone number
11 which shall be used to contact him on a 24 hours per day/seven days per week basis to
12 submit to biological fluid collection. For the purposes of this section, telephonic notice
13 shall be deemed given at the time a message to appear is left at the contact telephone
14 number provided by Dr. Roberts. Dr. Roberts authorizes any person or organization
15 conducting tests on the collected samples to provide testing results to the Board and the
16 program director.

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18 **14.** Dr. Roberts shall cooperate with collection site personnel regarding biological
19 fluid collection. Repeated complaints from collection site personnel regarding Dr.
20 Roberts's lack of cooperation regarding collection may be grounds for termination from the
21 program.

22 **15. Payment for Services.** Dr. Roberts shall pay for all costs, including
23 personnel and contractor costs, associated with participating in the Monitored
24 Aftercare Program (MAP) at time service is rendered, if required, or within 30 days
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of each invoice sent to him.

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2 16. Examination. Dr. Roberts shall submit to mental, physical, and medical
3 competency examinations at such times and under such conditions as directed by the
4 Board to assist the Board in monitoring his ability to safely engage in the practice of
5 medicine and compliance with the terms of this Consent Agreement.

6 17. Treatment. Dr. Roberts shall submit to all medical, substance abuse, and
7 mental health care and treatment ordered by the Board, or recommended by the program
8 director.

9 18. Obey All Laws. Dr. Roberts shall obey all federal, state and local laws, and
10 all rules governing the practice of medicine in the state of Arizona.

11 19. Interviews. Dr. Roberts shall appear in person before the Board and its staff
12 and committees for interviews upon request, upon reasonable notice.

13 20. Address and Phone Changes. Notice. Dr. Roberts shall immediately notify
14 the Board in writing of any change in office or home addresses and telephone numbers.
15 Dr. Roberts shall provide Board staff at least three business days advance written notice of
16 any plans to be away from office or home for more than five (5) consecutive days. The
17 notice shall state the reason for the intended absence from home or office, and shall
18 provide a telephone number that may be used to contact Dr. Roberts.

19 21. Relapse, Violation. See paragraph A of this Order.

20 22. Notice Requirements. Dr. Roberts shall immediately provide a copy of
21 this Consent Agreement to all hospitals and free standing surgery centers at which Dr.
22 Roberts has any privileges. Within 30 days of signing this Consent Agreement, Dr.
23 Roberts shall provide the Board with a signed statement that he has complied with this
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1 notification requirement.

2 Dr. Roberts is further required to notify, in writing, all hospitals and free standing
3 surgery centers at which he has any privileges of a chemical dependency relapse, use of
4 drugs or alcohol in violation of this Consent Agreement and/or entry into a treatment
5 program. Dr. Roberts shall provide the Board, within seven days of any of these events,
6 written confirmation that he has complied with this notification requirement.

7 **23. Public Record.** This Consent Agreement is a public record.

8 **24. Out-of State.** In the event Dr. Roberts resides or practices medicine in a
9 state other than Arizona, he shall participate in the physician rehabilitation program
10 sponsored by that state's medical licensing authority or medical society. Dr. Roberts shall
11 cause the other state's program to provide written reports to the Board regarding his
12 attendance, participation, and monitoring. The reports shall be due on or before the 15th
13 day of March and September of each year, until this requirement is terminated in writing by
14 the Board.

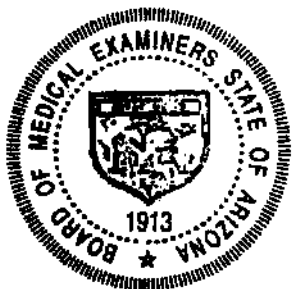
15 **25.** Dr. Roberts shall immediately obtain a treating psychiatrist approved by
16 Board staff and shall remain in treatment with the psychiatrist until further order of the
17 Board. Dr. Roberts shall instruct the psychiatrist to release to the Board, upon its request,
18 all records relating to treatment of Dr. Roberts, and to submit quarterly written reports to
19 the Board regarding diagnosis, prognosis, and recommendations for continuing care and
20 treatment of Dr. Roberts. The reports shall be submitted on or before the 15th day of
21 March, June, September and December of each year.

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23 This Order supercedes all previous consent agreements, stipulations, and orders
24 between the Board and William L. Roberts, M.D.
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3 DATED this 23 day of February, 2000.

4 BOARD OF MEDICAL EXAMINERS
5 OF THE STATE OF ARIZONA

6 (SEAL)



7 By: Tom Adams

8 CLAUDIA FOUTZ
9 Executive Director
10 TOM ADAMS
11 Assistant Director, Regulation

12 Original of the foregoing Agreement
13 mailed by certified mail for signature this _____ day of
14 December, 2000 to:

15 WILLIAM L. ROBERTS, M.D.
16 6651 N. Campbell, #272
17 Tucson, Arizona 85718

18 Patricia Miller
19 Coordinator, Monitored Aftercare Program

20 Executed Copy of the foregoing signed Consent Agreement
21 Agreement mailed by certified mail this _____ day of
22 February, 2000 to:

23 WILLIAM L. ROBERTS, M.D.
24 6651 N. Campbell, #272
25 Tucson, Arizona 85718

Patricia Miller
Coordinator, Monitored Aftercare Program

1 **BEFORE THE BOARD OF MEDICAL EXAMINERS**
2 **IN THE STATE OF ARIZONA**

3 In the Matter of

MD-00-0263

4 **WILLIAM L. ROBERTS, M.D.**

**AMENDMENT TO CONSENT
AGREEMENT and ORDER
DATED FEBRUARY 23, 2001**

5 Holder of License No. 11971
6 For the Practice of Medicine
7 In the State of Arizona.

8 This matter was considered by the Arizona Board of Medical Examiners ("Board") at
9 its public meeting on December 6, 2001. The Board was presented with the request of
10 William L. Roberts, M.D., ("Respondent") to amend a February 23, 2001 Consent
11 Agreement and Order ("Board Order") placing Respondent on Probation. Respondent
12 requested that the Board terminate the requirement of his probation that he not handle,
13 store, or administer controlled substances. The Diversion Committee reviewed and
14 supports Respondent's request. The terms and conditions of the aforementioned Board
15 Order are incorporated herein by reference. After due consideration of the facts and law
16 applicable to this matter, the Board voted to amend the February 23, 2001 Order by
17 issuing the following Order.
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19 **ORDER**

20 IT IS HEREBY ORDERED that:

- 21 1. Respondent may handle, store or administer controlled substances.

22 **RIGHT TO PETITION FOR REVIEW**

23 Respondent is hereby notified that he has the right to petition for a rehearing.
24 Pursuant to A.R.S. § 41-1092.09, as amended, the petition for rehearing must be filed with
25 the Board's Executive Director within thirty (30) days after service of this Order and

1 pursuant to A.A.C. R4-16-102, it must set forth legally sufficient reasons for granting a
2 rehearing. Service of this order is effective five (5) days after date of mailing. If a motion
3 for rehearing is not filed, the Board's Order becomes effective thirty-five (35) days after it is
4 mailed to Respondent.

5 Respondent is further notified that the filing of a motion for rehearing is required to
6 preserve any rights of appeal to the Superior Court.

7 DATED this 12th day of December 2001.



BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

13 By Claudia Foutz
14 CLAUDIA FOUTZ
Executive Director
TOM ADAMS
Deputy Director

15 ORIGINAL of the foregoing filed this
16 12 day of December, 2001 with:

17 The Arizona Board of Medical Examiners
18 9545 East Doubletree Ranch Road
19 Scottsdale, Arizona 85258

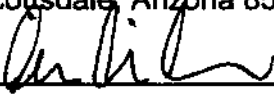
20 Executed copy of the foregoing
21 mailed by U.S. Certified Mail this
22 12 day of December, 2001, to:

23 William L. Roberts, M.D.
24 5404 North Canyon Rise Place
25 Tucson, Arizona 85749-7160

Copy of the foregoing hand-delivered this
12 day of December, 2001, to:

Christine Cassetta
Assistant Attorney General
Sandra Waitt, Management Analyst

1 9545 East Doubletree Ranch Road
2 Scottsdale, Arizona 85258

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BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

In the Matter of)	
)	
WILLIAM L. ROBERTS, M.D.)	REQUEST FOR INACTIVE
)	STATUS WITH CAUSE
Holder of License No. 11971)	AND ORDER GRANTING
For the Practice of Medicine)	INACTIVE STATUS
In the State of Arizona.)	
)	
<u>BOMEX Inquiry vs. William L. Roberts, M.D.</u>)	

1. I, **WILLIAM L. ROBERTS, M.D.**, am the holder of License No. **11971** to practice medicine in the State of Arizona.

2. In accordance with A.R.S. §32-1452(F), I hereby request that, effective at 12:01 on the date of the following order, the Arizona Board of Medical Examiners (the "Board") place my medical license number **11971** in inactive status because I have previously been under a Board Stipulated Rehabilitation Agreement for substance abuse, and I relapsed with the use of chemical substances.

3. I agree not to practice medicine in the State of Arizona or any other state, territory or district of the United States or a foreign country while my Arizona license is in Inactive Status. I understand that I may not hold or maintain a controlled substance certificate with the Drug Enforcement Administration or write or refill prescriptions as long as my license is classified as Inactive. I understand that if I practice medicine while my license is in Inactive Status, I will be considered to be practicing medicine without a license or without being exempt from licensure, which is a felony.

4. Prior to my license being placed on Inactive Status, I agree that I shall have paid all fees required by the Medical Practice Act, A.R.S. §32-1401 et seq.

5. I agree that I shall not request reactivation of my license to practice medicine in the State of Arizona until I meet with the Board at a regularly scheduled meeting of the Board, and comply with all requests of the Board, which may include, but not limited to, inpatient treatment, psychiatric and psychometric evaluation, physical examination and testing, and written and/or oral competency examinations. I understand that the Board will not reactivate my license until I present evidence satisfactory to the Board in its sole discretion that I am medically competent and mentally and physically able to safely practice medicine.

DATED this 13 day of June, 2000.


WILLIAM L. ROBERTS, M.D.

ORDER

Pursuant to A.R.S. §32-1452 (F) and the above request of WILLIAM L. ROBERTS, M.D. it is hereby ordered that license number 11971 held by WILLIAM L. ROBERTS, M.D., is placed on Inactive Status.

DATED this 27 day of June, 2000

BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA

[S E A L]

By: *Tom Adams*
CLAUDIA FOUTZ
Executive Director
TOM ADAMS
Assistant Director, Regulation

Original of the foregoing Request
for Inactive Status with Cause and Order Granting Inactive Status
hand delivered this 13th day of June 2000 to:

WILLIAM L. ROBERTS, M.D.
(Home Address)

Styfle Fleming - director
Coordinator, Monitored Aftercare Program

Executed Copy of the foregoing signed Request
for Inactive Status with Cause and Order Granting Inactive Status
mailed by certified mail this 30th day of June 2000
to:

WILLIAM L. JOHNSON, M.D.
(Home Address)

Richard Munn
Coordinator, Monitored Aftercare Program